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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AT&T Corp.

PLAINTIFF,

v.

Dataway, Inc.

DEFENDANT.

CASE NO. C07-02440 MMC

**NOTICE OF MOTION TO DISMISS
AT&T's COMPLAINT**

Date: Friday, December 7, 2007
Time: 9 a.m.
Courtroom: No. 7

NOTICE

Defendant Dataway, Inc. ("Dataway") hereby gives notice that on Friday, December 7, 2007, in Courtroom No. 7 before the Honorable Judge Maxine M. Chesney this Motion to Dismiss which is incorporated in Defendant Dataway's Answer and Counterclaim filed on October 17, 2007, Docket No. 31 will be heard.

RELIEF SOUGHT

Defendant Dataway, Inc. ("Dataway") is seeking an order to dismiss in its entirety Plaintiff's Complaint for Relief filed on May 7, 2007, Docket No. 1.

DATED: November 1, 2007

Respectfully submitted,

MATLOCK LAW GROUP

By: 
ANNE-LEITH MATLOCK

Attorneys for DATAWAY, INC.
Defendant and Counterclaimant